Remarks

The present application is a continuation-in-part application based on Application Ser. No. 09/640,052 filed August 17, 2000, and a paragraph to that effect has been entered on page 1 after the title. The title has been amended, and the Abstract has been amended as required by the Examiner.

The specification has been amended to included the additional drawing, and a new informal drawing sheet is enclosed to show the correction.

The double patenting provisional rejection is noted, and a terminal disclaimer in compliance with 37 CFR 1.321(c) along with the appropriate fee is enclosed herewith.

The rejection of claims 2 – 13 under 35 U.S.C. 112, second paragraph, is noted, and considerable effort has been made to overcome this rejection. It is believed that the amended claims in their present form avoid this rejection. Since claim 1 has been cancelled, the Examiner is respectfully requested to withdraw the earlier rejection and issue a Notice of Allowance.

Respectfully submitted,

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Version with Markings to Show Changes Made

Amendments in the Specification:

In accordance with 37 CFR 1.121(b), the following replacement paragraphs show all the changes made by the foregoing amendment relative to the previous versions of the paragraphs.

Cancel the old Abstract and enter the following new Abstract:

A rotary shelf assembly mechanism having shelves mounted on a vertical post arrangement is connected to a cabinet frame by upper and lower mounting brackets interacting with the top and bottom of the cabinet frame to support the posts and shelves carried thereby. The mechanism is mounted in the corner of the cabinet interior. To fit the mechanism within the cabinet, a height adjustment device is formed by positioning a second upper post in the upper end of a first vertical post for slidable movement therein. When securement of the two joined posts and mounted shelves is desired, the slidably movable upper post is extended upwardly until it engages the upper mounting bracket. An elongated recess in the second upper post aligns with an opening in the first vertical post to receive a threaded member into a casting. The screw is tightened to engage the casting and secure the two posts together in a shelf retaining and rotational mode. The height adjustment device enables the assembly to be quickly and efficiently mounted within the cabinet interior. A new shelf construction and shelf retaining element for securing each shelf to the first post is also included as a part of this improvement.

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Cancel the old title and insert the following new title:

A ROTARY SHELF ASSEMBLY MECHANISM HAVING A POST HEIGHT ADJUSTMENT DEVICE AND A NOVEL SHELF CONSTRUCTION AND SHELF RETAINING ELEMENT FOR SECURING THE SHELVES TO THE POST

Please insert the following new paragraph as the last paragraph on page 6 of the Specification:

Fig. 3A is a plan and perspective view of the joined posts shown in Figs. 2 and 3;

Amendments in the Claims:

In accordance with 37 CFR 1.121(c), the following versions of the claims as rewritten by the foregoing amendment show all the changes made relative to the previous versions of the claims.

Cancel claim 1.

2. (amended) A rotary shelf assembly mechanism having a post height adjustment device and a novel shelf construction and shelf retaining element for securing the shelves to the post comprising: first and second mounting brackets spaced apart from and opposing each other; a first post having first and second ends disposed between the first and second mounting brackets supporting at least one shelf; a first bearing element mounted on the first post end engaging the first mounting bracket for rotation about about the axis of the first post; a second post having first and second ends telescopically received within the second end of the first post and having an elongated recess extending longitudinally parallel to the axis of the second post, the first post

having an aperture therein; a casting positioned within the first post having a recess fitting portion and a threaded recess extending into the elongated recess of the second [tubular] post; and a mating element extending through the first post aperture and into the second post elongated recess to secure the second post with the first post to join the posts and insure connected post rotation.

3. (amended) The [adjustment means] mechanism as claimed in claim 2 wherein the first post has brad receiving apertures and the casting has bradable extensions suitable to fit within the apertures of the first [tubular] post to secure the casting to the first [tubular] post and further secure the first [tubular] post to the second [tubular] post.

4. (once amended) A rotary shelf assembly mechanism having a post height adjustment device and a novel shelf construction and shelf retaining element for securing the shelves to the post comprising: first and second mounting brackets spaced apart from and opposing each other; [tubular post means] a post assembly disposed [lengthwise] between the first and second mounting brackets supporting [one or more one piece shelves] at least one single piece shelf and having pin-receiving apertures at the location of each supported shelf, each of the [one or more supported one] at least one single piece shelves having an integral post-securing section including a hub and pin-receiving indents within the hub; [post length adjusting means] and pin means extending through the post pin-receiving apertures and cooperatively received by the

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integral post securing section indents to secure the at least one shelf to the post [means] assembly.

5. (amended) The mechanism as claimed in claim 4 wherein the pin means is a cylindrically formed segment of flat [stock] metallic material.

6. (amended) The mechanism as claimed in claim 4 wherein the post [means] assembly is disposed between first and second mounting brackets and includes a first [tubular member] post having first and second ends and a second [tubular member] post having first and second ends [,] and sized to be telescopically received within the second end of the first [tubular] post and having an elongated recess extending longitudinally parallel to the axis of the second [tubular] post, the first [tubular] post having an aperture[,] ; a mating [screw extendable] element extending through the first post aperture [of the first tubular post] and into the second post elongated recess to secure the second [tubular] post with the first [tubular] post [in a pre-selected location and thereby] to join the posts [to span the distance between the first and second mounting brackets] and insure connected post rotation.

7. (amended) The mechanism as claimed in claim 6 wherein the pin means is a cylindrically formed segment of flat [stock] metallic material.

8.(amended) The mechanism as claimed in claim 4 wherein the post [length adjusting means] assembly includes [the] first and second [tubular]

posts, the first [tubular] post having an aperture[,] and the second post having an elongated recess; a mating [screw extendable] element extending through the first post aperture [of the first tubular post] and into the second post elongated recess to secure the second [tubular] post with the first [tubular] post [in a pre-selected location and thereby] to join the posts [to span the distance between the first and second mounting brackets to] and insure connected post rotation.

9. (amended) The mechanism as claimed in claim 5 wherein the post [length adjusting means] assembly includes [the] first and second [tubular] posts, the first [tubular] post having an aperture [,] and the second post having an elongated recess; a mating [screw extendable] element extending through the first post aperture [of the first tubular post] and into the second post elongated recess to secure the second [tubular] post with the first [tubular] post [in a pre-selected location] and thereby join the posts [to span the distance between the first and second mounting brackets to] and insure connected post rotation.

10. (once amended) The mechanism as claimed in claim 6 wherein the post [length adjusting means] assembly includes [the] first and second [tubular] posts, the first [tubular] post having an aperture [,] and the second post having an elongated recess; a mating [screw extendable] element extending through the first post aperture [of the first tubular post] and into the second post elongated recess to secure the second [tubular] post with the first [tubular] post [in a pre-selected location] and thereby join the posts [to span the distance between the first and second mounting brackets to] and insure connected post rotation.

11. (amended) The [rotary shelf assembly] mechanism as claimed in claim 4 wherein each of the [one] single piece shelves is formed with a hub having a post-receiving opening and a rectangularly shaped recess communicating with the opening, the post assembly having [a diametric aperture extending through the post] diametrically aligned apertures at each shelf position, and the shelf and post securing means for each shelf is a pin cooperatively received by the shelf hub rectangularly shapeed recess and the post [diametric aperture] diametrically aligned apertures to secure the shelf to the post.

12. (amended) The [assembly] mechanism as claimed in claim 11 wherein the pin means is a cylindrically formed segment of flat metallic material.

13.(amended) The [assembly] mechanism as claimed in claim 12 wherein the post [means] assembly is disposed between first and second mounting brackets and [include the first tubular member having first and second ends and a second tubular member having first and second ends, sized to be telescopically received within the second end of the first tubular post and having an elongated recess extending longitudinal parallel to the axis of the second tubular post, the first tubular having an aperture, a mating screw extendable through the aperture of the first tubular post and into the elongated recess to secure the second tubular post with the first tubular post and span the distance between the first and second mounting brackets to] includes first and second posts, the first post having an aperture and the second post having an elongated recess; and a mating

element extending through the first post aperture and into the second post elongated recess to secure the second post with the first post to join the posts and insure connected post rotation.